

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	Cause No. 3:14-CR-293-M
	§	ECF
JOHN PRICE,	§	
KATHY NEALY, and	§	
DAPHENY FAIN	§	

AGREED ORDER WITH RESPECT TO DISCLOSURE
OF SUPPLEMENTAL DISCOVERY MATERIALS

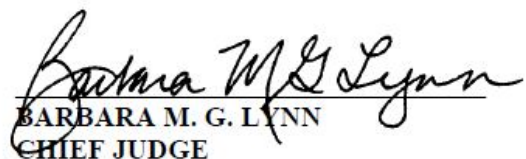
The government having advised the Court and counsel of its intent soon to provide to the Defendants immunity and proffer agreements as well as, subject to certain limitations, grand jury testimony and potential witness statements [“Jencks material”], and the parties having reached agreement with respect to these disclosures, it is accordingly ORDERED:

- As these early disclosures of “Jencks material” are made solely for the purposes of this litigation, the use of the materials provided is limited to this litigation;
- Defense counsel and their investigators may show any statement or testimony covered by this agreement to the individual who provided the statement or testimony. The statement or testimony may not be shown to any other person [a “potential witness”] who is not a party or the party’s counsel or persons

assisting counsel in the representation of the party; the content of the statement or testimony of the “potential witness” may be discussed with any other person, provided the “potential witness” is not identified as a party’s witness or as a potential witness for a party and provided there is no disclosure that the “potential witness” provided a statement or testimony to the party;

- Defense counsel and their investigators may disclose government immunity agreements and proffer agreements and the contents of those agreements only to the individual who is the subject of the agreement and the parties, their counsel and those persons assisting counsel in the representation of the party; the contents of any written proffer of facts shall be treated in the same manner as “potential witness” statements and testimony;
- These provisions impose no restrictions upon a party’s use of information obtained independently from the disclosure of “Jencks material”;
- Once this litigation is fully concluded, counsel for each party shall assure that any “Jencks material” and any copies of such material are either destroyed or returned to the government; and
- Counsel for each party shall provide a copy of this order to the party represented and to any persons assisting counsel in that representation.

SO ORDERED this 24th day of June, 2016.


BARBARA M. G. LYNN
CHIEF JUDGE